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SENATE BILL 3038 By
Person

HOUSE BILL 2776
By Buck

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to the earmarked twenty percent (20%) of the funds a sheriff or municipal police department receives pursuant to fines and forfeitures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-420, is amended by deleting subsection (h) in its entirety and by substituting instead the following:

(h)(1) Except as provided in subdivision (h)(2), notwithstanding any other provision of this section to the contrary, in order to comply with state and federal fingerprinting requirements such as those in 42 U.S.C.A. § 14071, effective July 1, 1997, twenty percent (20%) of the funds a sheriff or municipal police department receives pursuant to this section shall be set aside and earmarked for the purchase, installation, maintenance and continued use of an electronic fingerprint imaging system that is compatible with the federal bureau of investigation's Integrated Automated Fingerprint Identification System. All agencies before purchasing equipment pursuant to this section shall apply for and receive certification from the Tennessee bureau of investigation as to the compatibility of the equipment with other agencies. Instead of purchasing such fingerprinting equipment, a local law enforcement agency may enter into an agreement with another law enforcement agency that possesses such equipment for the use of such equipment. Such agreement may provide that the local law enforcement agency

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may use the fingerprinting equipment for identifying persons arrested by that agency in exchange for paying an agreed upon portion of the cost and maintenance of the fingerprinting equipment.

(2) This subsection does not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.